

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Clarence Miller,	)	
	)	Civil Action No. 6:15-108-TMC-KFM
Plaintiff,	)	
	)	
vs.	)	<b>ORDER</b>
	)	
Sgt. Kimberly Oliver, Dennis Patterson,	)	
Warden Mr. Stevenson, and	)	
DHO Mr. Ernest Rowe,	)	
	)	
Defendants.	)	
<hr style="width: 40%; margin-left: 0;"/>	)	

Plaintiff, Clarence Miller, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983. In accordance with 28 U.S.C. § 636(b)(1) and Local Civ. Rule 73.02, DSC, this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge's Report and Recommendation ("Report"), recommending that the motion to dismiss filed by Defendants, Dennis Patterson and Robert Stevenson (ECF No. 17), be granted. (ECF No. 89). Plaintiff was advised of his right to file objections to the Report. (ECF No. 89 at 9). However, Plaintiff filed no objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to

accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report and the record in this case, the court adopts the Magistrate Judge's Report (ECF No. 89) and incorporates it herein. It is therefore **ORDERED** that the motion to dismiss filed by Defendants, Dennis Patterson and Robert Stevenson, is **GRANTED** and said Defendants are hereby **DISMISSED** from Plaintiff’s action.

**IT IS SO ORDERED.**

s/Timothy M. Cain  
United States District Judge

August 31, 2015  
Anderson, South Carolina